



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,915	03/23/2000	Mark B. Whipple	020431.0563	9969

7590 02/25/2004

Baker Botts LLP
Christopher Kennerly Esq
2001 Ross Avenue
Dallas, TX 75201-2980

EXAMINER

MIRZA, ADNAN M

ART UNIT	PAPER NUMBER
----------	--------------

2141

DATE MAILED: 02/25/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

P24

Office Action Summary

Application No.

09/534,915

Applicant(s)

WHIPPLE, MARK B.

Examiner

Adnan M Mirza

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

0DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chow et al (U.S. 6,226,693) and Wimble et al (5,778,230).

As per claim 1 Chow disclosed a system for managing event publication and subscription for event producer-consumers of heterogeneous types using a plurality of mappers each specific to a particular type of event producer consumer, the system comprising: a logical event manager; and a physical event manager in communication with the logical event manager and a first event producer-consumer of first type and a second event producer-consumers of second type, the first and second event producer -consumers being of heterogeneous types (col. 8, lines 16-31, col. 3, lines 11-23 & col. 6, lines 51-62). As Chow taught a event recognition in an event management object, also called an event manager where event manager object is created for handling events from different environments. Chow 's platform specific event recognition in an event management object, also called an event manager. Therefore one ordinary skill in the art at the time of invention can interpret event manager as the hub of all the event management objects namely logical and physical events.

However Chow did not fully disclosed wherein the physical event manager comprises: a first mapper specific to the first type of the first event producer-consumer and operable to translate

Art Unit: 2141

between the logical event manager and the first event producer consumer; and a second mapper operable specific to the second type of the second event producer consumer and operable to translate between the logical event manager and the second event producer consumer.

In the same field of endeavor Wimble disclosed in detail each time a primitive physical event is detected, the state manager uses the logical to physical manager to map the physical event into a set of logical events (col. 12, lines 40-54). The logical to physical manager is responsible for managing the bi-directional mapping between multiple logical primitive events and a unique physical events. The logical to physical Manager 158 is responsible for managing the bi-directional mapping between mutiple logical primitive events and a unique physical event (col. 10, lines 63-67 and col. 11, lines 1-2).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the physical event manager comprises: a first mapper operable to translate between the logical event manager and the first event producer consumer; and a second mapper operable to translate between the logical event manager and the second event producer consumer as taught by Wimble in the method of Chow to increase the functionality of the system by making it more versatile.

3. As per claim 2 Chow-Wimble disclosed the system of Claim 1 further comprising a listener-sender having the first mapper and in communication with the logical event manager and the first and the second event producer-consumers (Wimble, col. 11, lines 20-30). Wimble constraint manager can be interpreted as listener sender.

Art Unit: 2141

4. As per claim 3 Chow-Wimble disclosed wherein the first mapper is Operable to translate a signal occurring at the first event producer-consumer to a logical event for the logical event manager (Wimble, col. 17, lines 6-20).

5. As per claim 4 Chow-Wimble disclosed wherein the first mapper is operable to translate a logical event occurring at the logical event manager to a signal for the first event producer-consumer (Wimble, col. 17, lines 6-20).

6. As per claim 5 Chow-Wimble disclosed wherein the first event producer-consumer is operable to subscribe to a logical event managed by the logical event manager (Wimble, col. 1, lines 5-17).

7. As per claim 6 Chow-Wimble disclosed wherein the logical event manager is operable to publish a signal to the first event producer-consumer (Wimble, col. 16, lines 50-65).

8. As per claims 7,16 Chow-Wimble disclosed wherein the first event producer-consumer is operable to communicate a signal to the logical event manager (Wimble, col. 10 lines 66-67 & col. 11, lines 1-2).

9. As per claims 8,17,21 Chow-Wimble disclosed wherein the physical event manager is operable to monitor the first event producer-consumer for a signal (Wimble, col. 10, lines 66-67 & col. 11, lines 1-2).

Art Unit: 2141

10. As per claim 9 has the same limitations as to claim 1 therefore under the same limitations claim 9 can be rejected.

11. As per claims 10,14,20 Chow-Wimble disclosed further comprising communicating a subscription for a logical event from the first event consumer to the physical event manager (Wimble, col. 16, lines 50-65).

12. As per claims 11,15 Chow-Wimble disclosed further comprising: communicating a first subscription for a logical event from the first event consumer to the physical event manager; and translating the first subscription into a first logical subscription using the first mapper (Wimble, col. 12, lines 40-53).

13. As per claims 12,13 have the same limitations as to claim 1 therefore under the same limitations claims 12 and 13 can be rejected.

14. As per claims 18,19,22 have the same limitations as to claim 1 therefore under the same limitations claim 18,19,22 can be rejected.

15. As per claims 23,34,45 Chow-Wimble disclosed a system for managing event publication and subscription for producer-consumers of heterogeneous types using a plurality of mappers each specific to a particular type of event producer consumer (Wimble, col. 10, lines 63-67 and col. 11, lines 1-2), comprising: a logical event manager; and a physical event manager in communication with the logical event manager and with a plurality of event producer-consumers (Chow, col. 3, lines 11-23 & col. 6, lines 51-62); each event producer-consumer being of a particular type, the plurality of event producer-consumers being of heterogeneous types (Chow, col. 9, lines 8-19); the physical event manager comprising a plurality of mappers each corresponding to a particular type of event producer-consumer and operable to: for

Art Unit: 2141

incoming physical events (Chow, col. 8, lines 15-31): receive a particular type of signal indicative of a physical event from the corresponding particular type of event producer consumer; translate the particular type of signal received from the corresponding particular type of event producer-consumer into a logical event for communication to the logical event manager (Wimble, col. 12, lines 40-54); for outgoing physical events: receive a logical event from the logical event manager; translate the logical event received from the logical manager into a particular type of signal indicative of a physical event for communication to the corresponding particular type of event producer consumer (col. 16, lines 50-65).

16. As per claims 24,35,46 Chow-Wimble disclosed where in the physical event manager is operable use the mappers to translate a signal logical event into: a first particular type of signal for communication to a corresponding first particular type of event producer-consumer (Chow, col. 6, lines 50-65); and a second particular type of signal for communication to a corresponding second particular type of event producer-consumer (Chow, col. 7, lines 64-67 & col. 8, lines 1-5).

17. As per claims 25,36,47 Chow-Wimble disclosed one or more listener-senders each comprising one or more mappers, each listener-sender monitoring the one or more event producer-consumers corresponding to the one or more mappers of the listener-sender (Chow, col. 8, lines 15-31).

18. As per claims 26,37,48 Chow-Wimble disclosed wherein the logical event manager is operable to allow each event producer-consumer to subscribe to one or more logical events managed by the logical event manager (Wimble, col. 16, lines 50-65).

19. As per claims 27,38,49 Chow-Wimble disclosed wherein the logical event manager is further operable to publish a logical event for communication to each event consumer-producer that has subscribed to the logical event, for each event producer-consumer that has subscribed to the logical event the logical event being translated using the corresponding mapper and communicated in the form of the corresponding particular type of signal (Wimble, col. 16, lines 50-65 & col. 17, lines 1-20).

20. As per claims 28,39,50 Chow-Wimble disclosed wherein: the system allows for heterogeneous event exchange among a plurality of event producer-consumers each supporting a different native protocol for communicating signals indicative of physical events; no event producer-consumer needs to have knowledge of any other event producer consumer for event exchange with the other event producer-consumer (Chow, col. 7, lines 63-67 & col. 8, lines 1-4); and no event producer-consumer needs to have knowledge of the native protocol for any other event producer-consumer for event exchange with the other event producer-consumer (Chow, col. 7, lines 8-19).

21. As per claims 29,40,51 Chow-Wimble, wherein: the event producer-consumers are external event producer-consumers; the logical event manager is in communication with a plurality- of internal event producer-consumers (Wimble, col. 10, lines 63-67); and the logical event manager is further operable to: for incoming physical events, communicate the logical

Art Unit: 2141

event to one or more internal event-producer-consumers; for outgoing physical events, receive the logical event from an internal event producer-consumer (Wimble, col. 16, lines 50-65).

22. As per claims 30,41,52 Chow-Wimble, a first event-producer-consumer comprises a first machine with a corresponding first mapper within the physical event manager and a corresponding first native protocol for communicating signals with the physical event manager: a second event-producer-consumer comprises a second machine with a corresponding second mapper within the physical event manager and a corresponding second native protocol for communicating signals with the physical event manager (Chow, col. 8, lines 12-36); and the physical event manager is operable to: receive from the first machine a first signal in the first native protocol indicative of a physical event associated with the first machine (Wimble, col. 2, lines 40-53); use a first mapper corresponding to the first machine to translate the first signal received from the first machine in the first native protocol into a start machine logical event for communication to the logical event manager; and use a second mapper corresponding to the second machine to translate the start machine logical event received from the logical event manager into a second signal in the second native protocol indicative of the start machine logical event for communication to the second machine, the second machine operable to start in response to receiving the second signal (Chow, col. 8 lines 12-36).

23. As per claim 31,42,53 Chow-Wimble disclosed wherein the first and second native protocols are different protocols (col. 14, lines 7-20).

Art Unit: 2141

24. As per claims 32-33,43-44,54-55 has the same limitations as to claim 30-31 therefore under the same limitations claim 32-33 can be rejected.

25. As per claim 56 has the same limitation as to claim 23 therefore under the same limitation claim 56 can be rejected.

Applicant arguments are as follows:

Applicant argued that the prior art cited by Examiner failed to provide any motivation to combine the two prior arts.

26. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, on the basis of the knowledge generally available to one ordinary skill in the art examiner stated that combining two prior arts will increase the functionality of the system by making it more versatile. Wimble will make the user more independent without having any physical knowledge of GUI and reduce the burden by making the environment independent and also error resistance in the method of Chow.

27. Applicant argued that prior art did not disclose a system for managing event publication and subscription for event producer-consumers of heterogeneous types using a plurality of mapper each specific to a particular type of event producer-consumer.

As to applicant's argument Chow disclosed the objects can register actions for a specific logical event on a given target object with event manager. These actions can be procedure/method calls or scripts. Events are designed in an object oriented fashion and the user can subclass the abstract action object and create new custom objects (col. 9, lines 16-19).

Conclusion

28. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (703)-305-4633.

29. The examiner can normally be reached on Monday to Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dharia Rupal can be reached on (703)-305-4003. The fax for this group is (703)-746-7239.

Art Unit: 2141

30. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label "PROPOSED" or "DRAFT");

(703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED PROCEDURE"),

(703)-746-7238 (For After Final Communications).

31. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks Washington, D.C.20231


Or faxed to:

Hand-delivered responses should be brought to 4th Floor Receptionist, Crystal Park II,
2021 Crystal Drive, Arlington, VA 22202.



Adnan Mirza

Examiner



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER